

amend Section 10, Chapter 36, Acts of the Thirty-first Legislature.

By Senator Terrell of McLennan: Petition numerously signed by citizens of Milam county asking support of House bill No. 262.

By Senator Paulus:

Petition numerously signed by citizens of his district asking the Legislature to amend the anti-pass law empowering the railroad commission to make a special railroad rate for volunteer firemen attending their conventions.

TWENTY-THIRD DAY.

Senate Chamber,
Austin, Texas,

Wednesday, Feb. 15, 1911.

The Senate met pursuant to adjournment, and was called to order by Lieutenant Governor Davidson.

Roll call, quorum being present, the following Senators answering to their names.

Adams.	Murray.
Astin.	Paulus.
Bryan.	Peeler.
Carter.	Perkins.
Cofer.	Ratliff.
Collins.	Real.
Greer.	Terrell, McLennan
Hudspeth.	Terrell, Wise.
Hume.	Townsend.
Johnson.	Vaughan.
Kauffman.	Ward.
Lattimore.	Warren.
Mayfield.	Watson.
McNealus.	Weinert.
Meachum.	Willacy.

Absent.

Sturgeon.

Prayer by Rev. D. N. McLaughlin of Austin.

Pending the reading of the Journal of yesterday, on motion of Senator Perkins, the same was dispensed with.

REGULAR ORDER.

The Chair called the regular order of business. (See appendix for committee reports and petitions and memorials.)

(President Pro Tem. Hudspeth in the chair.)

SIMPLE RESOLUTION.

By Senator McNealus:

Whereas, The Dallas-Galveston News management, through its staff representative, Mr. Tom Finty, Jr., has presented the officers and members of the State Senate each with a copy of its excellent Texas Almanac for the current year; therefore, be it

Resolved, That the thanks of the State Senate are due, and are hereby, extended to the Dallas-Galveston News management and to Mr. Finty, for the thoughtfulness and courtesy embodied in the favor. The Almanac is an invaluable handbook and almost indispensable to the members of the Senate as a work of reference.

McNealus, Ward, Carter, Mayfield, Warren, Lattimore, Greer, Collins, Cofer, Peeler, Perkins.

The resolution was read and adopted.

SIMPLE RESOLUTION.

Whereas, Hon. J. H. Traylor of Corpus Christi served with distinction in the Senate during the Eighteenth and Nineteenth Legislatures, and was afterward Mayor of the city of Dallas, is now in Austin; therefore, be it

Resolved, That he be invited to address the Senate, and that the privileges of the floor be extended to him.

TERRELL of Wise.
M'NEALUS.

The above resolution was read and adopted.

The Chair appointed Senators Terrell of Wise, McNealus and Lattimore to escort ex-Senator Traylor to the president's stand.

Ex-Senator Traylor addressed the Senate briefly.

INVITATION TO ATTEND LUNCHEON.

Senator Peeler offered the following invitation:

Austin, Texas, Feb. 15, 1911.

To the Honorable Senators, Officers and Press of the State Senate:

The Regents and Faculty of the University and the citizens of Austin most cordially invite you and your families to make a visit to the University of Texas on Saturday, February 18th, beginning at 12 o'clock, and to attend the barbecue lunch on the University grounds, inspect the institution in all its parts, and see the students at their work.

S. E. MEZES,
President of the University.

The above invitation was read, and on motion of Senator Cofer, the same was accepted.

FIRST HOUSE MESSAGE.

Hall of the House of Representatives.

Austin, Texas, Feb. 15, 1911.

Hon. A. B. Davidson, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has adopted the Free Conference Committee report on House bill No. 16 by the following vote: yeas 71, nays 48.

Respectfully,
BOB BARKER,

Chief Clerk, House of Representatives.

BILLS AND RESOLUTIONS.

By Senator Terrell of McLennan:

Senate bill No. 253, A bill to be entitled "An Act to authorize the Missouri, Kansas & Texas Railway Company of Texas to lease for a term of not less than twenty-five years the railroad of the Texas Central Railroad Company, extending from the city of Waco, in McLennan county, Texas, to the town of Rotan in Fisher county, Texas, and its branches and extensions, constructed or to be constructed, together with the properties, franchises and appurtenances pertaining thereto and to at any time during the life of such lease purchase, own, operate, and maintain the same as a part of its line, and to complete and extend the same as contemplated and provided in the charter of said Texas Central Railroad Company, with the right to make such other extensions and construct such branches as may be hereafter authorized by amendment of its charter under the General Laws of the State of Texas; and vesting said companies, and each of them, with

the power to make and execute all necessary contracts and agreements to effect said lease, purchase and sale; and authorizing the said the Missouri, Kansas & Texas Railway Company of Texas to assume the payment of the bonds and other indebtedness of the said Texas Central Railroad Company, and to purchase the issued and outstanding stock of the Texas Central Railroad Company and to exchange its own stock and bonds for the stock and bonds of said Texas Central Railroad Company, or to substitute its own bonds, under the General Laws of the State of Texas and subject to the approval of the Railroad Commission of Texas, in lieu thereof; and prescribing the terms and conditions upon which said lease, purchase and sale may be made; and requiring the courts to take judicial notice of its provisions; and declaring an emergency."

Read first time and referred to Committee on Internal Improvements.

By Senator Warren:

Senate bill No. 254, A bill to be entitled "An Act to grant a charter for the city of Terrell, in Kauffman county, Texas, validating the Acts of the said city as it heretofore existed; repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

Read first time and referred to Committee on Towns and City Corporations.

By Senator Cofer:

Senate bill No. 255, A bill to be entitled "An Act to amend the charter of the City of Gamesville, approved March 17, 1909, by creating a board of water commissioners, to be appointed by the city council, and prescribing the powers and duties of such board, and declaring an emergency."

Read first time and referred to Committee on Towns and City Corporations.

By Senator Lattimore (by request):

Senate bill No. 256, A bill to be entitled "An Act for the better protection of life and property against injury or damage, resulting from the operation of steam engines and boilers by incompetent engineers and others, and to repeal any Act that has

been passed by the Legislature of Texas, granting cities the power to license engineers, and declaring an emergency."

Read first time and referred to Committee on Internal Improvements.

By Senator Lattimore:

Senate bill No. 257, A bill to be entitled "An Act to authorize stock yards or stock yard companies receiving or unloading or shipping livestock to issue certificates to the owner thereof, or persons in charge, and weighers of such livestock connected with such yards to issue such certificates of weight; and to authorize commission men buying and selling livestock to issue their accounts of sale or accounts of purchase, to be used in evidence in any of the courts of the State of Texas; and declaring an emergency."

Read first time and referred to Judiciary Committee No. 1.

By Senator Hume:

Senate bill No. 258, A bill to be entitled "An Act to amend Section 54, Chapter 104, of the Acts of the Regular Session of the Twenty-ninth Legislature of the State of Texas, entitled 'An Act to define and provide for organizing and disciplining the militia; to prescribe the duties of the Governor, the Adjutant General and all officers and enlisted men thereof; to define military offenses; to provide for the trial and punishment thereof; to provide for the pay, transportation and subsistence of the militia when called into actual service; and to repeal all laws in conflict therewith,' so as to provide that the amount of real and personal property that shall be owned, transferred or otherwise handled by military companies shall not exceed in value, at the time of its acquisition, two hundred thousand dollars, and to provide that the natural enhancement in value of any property properly acquired by such companies shall not affect the title or handling of such property in or by such companies, and to repeal Article 3426, Revised Civil Statutes of Texas, relating to the amount of property that may be owned by militia companies."

Read first time and referred to Committee on Military Affairs.

By Senator Lattimore:

Senate bill No. 259, A bill to be en-

titled "An Act to amend Article 4316 of the Revised Civil Statutes of 1895, as amended by the Twenty-ninth Legislature, Acts of 1905, page 117, and declaring an emergency."

Read first time and referred to Judiciary Committee No. 1.

By Senator Paulus:

Senate bill No. 260, A bill to be entitled "An Act creating a State Racing Commission, providing for the appointment of members thereof, their tenure of office, defining their duties and powers; and declaring an emergency."

Read first time and referred to Judiciary Committee No. 1.

By Senator Hume:

Senate bill No. 261, A bill to be entitled "An Act to grant permission to Philip H. Fall, Charles Magill and heirs of E. B. Nichols, deceased, to bring suit in the district court of Travis county, Texas, to ascertain, adjudicate, fix and establish their claims against the State of Texas, as owners and holders of certain claims and bonds therein mentioned."

Read first time and referred to Committee on Finance.

By Senator Murray (by request):

Senate Joint Resolution No. 10, To amend Article 8, Section 16, of the Constitution of the State of Texas, providing for the election of a collector of taxes in each county of the State, and that each collector of taxes in each county shall perform the duties of assessor of taxes therein, and providing that collectors of taxes shall receive such compensation as may be fixed by the Legislature and the commissioners' courts.

Read first time and referred to Committee on Constitutional Amendments.

By Senator Murray (by request):

Senate Joint Resolution No. 11, To amend Article 8, Section 14, of the Constitution of the State of Texas, providing that the collector of taxes of each county shall perform the duties of assessor of taxes.

Read first time and referred to Committee on Constitutional Amendments.

By Senator Murray (by request):

Senate Joint Resolution No. 12, To amend Article 16, Section 44, of the Constitution of the State of Texas, providing for the election of county

surveyors and providing that the treasurer of each county shall be that person who offers satisfactory bond and the best bid of interest on daily balances.

Read first time and referred to Committee on Constitutional Amendments.

Morning call concluded.

HOUSE BILL NO. 76.

On motion of Senator Carter, the regular order of business (House Concurrent Resolution No. 11) was suspended, and the Senate took up, out of its order, House bill No. 76 by the following vote:

Yeas—25.

Adams.	McNealus.
Astin.	Meachum.
Bryan.	Murray.
Carter.	Paulus.
Cofer.	Peeler.
Collins.	Terrell, McLennan
Greer.	Townsend.
Hudspeth.	Vaughan.
Hume.	Ward.
Johnson.	Warren.
Kauffman.	Watson.
Lattimore.	Weinert.
Mayfield.	

Absent.

Perkins.	Sturgeon.
Ratliff.	Terrell, Wise.
Real.	Willacy.

The Chair laid before the Senate on second reading,

House bill No. 76, A bill to be entitled, "An Act creating a more efficient road system for Shelby county, Texas, giving the road superintendency of said county to the commissioners and the commissioners court. Each commissioner of said county is to superintend all public roads in his commissioners' precinct, defining the powers and duties and fixing the salary of each commissioner for road and bridge supervision and fixing penalties therefor, defining powers and duties of commissioners in said county with reference to road supervision, providing a method by which county convicts shall be worked upon county roads in said county; providing additional duties for road overseers in said county and additional powers; providing time hands shall be required to work on public roads in said

28—8.

county, fixing penalties for failure to do road duty in said county; with reference to the roads in said county; providing for the repeal of Chapter 16, Acts of the Thirty-first Legislature of the State of Texas, known as a 'Special Road Law for Shelby county, Texas'; repealing all laws and parts of laws in conflict herewith and declaring an emergency."

The committee report, which provided that the bill be not printed, was adopted.

Senator Carter offered the following amendment, which was read and adopted:

Amend the bill page 4, Section 3, line 31, by adding after the word "working" and before the word "laying" the following: "and employ such expert assistance in."

Bill read second time, and passed to a third reading.

On motion of Senator Carter the constitutional rule requiring bills to be read on three several days was suspended and the bill put on its third reading and final passage by the following vote:

Yeas—25.

Adams.	McNealus.
Astin.	Meachum.
Bryan.	Murray.
Carter.	Paulus.
Cofer.	Peeler.
Collins.	Terrell, McLennan
Greer.	Townsend.
Hudspeth.	Vaughan.
Hume.	Ward.
Johnson.	Warren.
Kauffman.	Watson.
Lattimore.	Weinert.
Mayfield.	

Absent.

Perkins.	Sturgeon.
Ratliff.	Terrell, Wise.
Real.	Willacy.

The bill was read third time and passed by the following vote:

Yeas—25.

Adams.	Hume.
Astin.	Johnson.
Bryan.	Kauffman.
Carter.	Lattimore.
Cofer.	Mayfield.
Collins.	McNealus.
Greer.	Meachum.
Hudspeth.	Murray.

Paulus.
Peeler.
Terrell, McLennan
Townsend.
Vaughan.

Ward.
Warren.
Watson.
Weinert.

Absent.

Perkins.
Ratliff.
Real.

Sturgeon.
Terrell, Wise.
Willacy.

Senator Carter moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

SENATE BILL NO. 56.

On motion of Senator Mayfield, the regular order of business (House Concurrent Resolution No. 11) was suspended, and the Senate took up, out of its order, Senate bill No. 56, by the following vote:

Yeas—26.

Adams.
Astin.
Bryan.
Carter.
Cofer.
Collins.
Greer.
Hudspeth.
Hume.
Johnson.
Kauffman.
Lattimore.
Mayfield.

McNealus.
Meachum.
Murray.
Paulus.
Peeler.
Real.
Terrell, McLennan
Townsend.
Vaughan.
Ward.
Warren.
Watson.
Weinert.

Absent.

Sturgeon.
Perkins.
Ratliff.

Terrell, Wise.
Willacy.

The Chair laid before the Senate on second reading

Senate bill No. 56, A bill to be entitled "An Act to prohibit the operation of street cars and interurban cars unless such cars are provided with screens or vestibules which will protect the motormen, gripmen or other operators of such cars from inclement weather, from the first day of November until the fifteenth day of March of each year; to provide penalties for the violation of this Act; and fees and commissions

for attorneys bringing suits; and to fix venue for such suits."

Senator Weinert offered the following amendment, which was read and adopted:

Add at the end of Section 1: "Provided, that street cars in towns of less than 4,000 population shall be exempted."

Pending delay, Senator Weinert moved to reconsider the vote by which his amendment was adopted.

The motion prevailed, and Senator Weinert, by unanimous consent, withdrew his amendment.

Senator Meachum offered the following amendment, which was read and adopted.

Amend the bill, line 11, page 21, by striking out all after the word "of" in line 11, down to and including the word "of" after the word "court" in line 12.

MEACHUM,
HUDSPETH,
PEELER.

(Lieutenant Governor Davidson in the chair.)

Senator Collins offered the following amendment:

Amend the bill by adding Sections 4 and 5 as follows:

"Sec. 4. That from and after the first day of November, 1914, it shall be unlawful for any person, firm, association or persons, corporation or receiver operating street cars or interurban cars within this State requiring the services of a conductor for the transportation of passengers to operate any car which is not provided with an aisle through the center of the car from end to end of such width as to be a convenient passage for the conductor back and forth through the car for the collection of fares or other purposes.

"Sec. 5. That from and after the first day of November, 1914, it shall be unlawful for any person, firm, association of persons, corporation or receiver operating street cars or interurban cars within this State requiring the services of a motorman for the transportation of passengers, which is not equipped with air brakes for the safe handling of said car, provided such car is a car having or provided with double trucks; provided, that the three foregoing

sections of this Act shall not apply to cars drawn by mules or horses." before the words "street cars" and before the words "interurban cars," wherever they occur in the bill, the word "electric."

COLLINS.
McNEALUS.

Pending discussion on the amendment, Senator Murray made the point of order that the amendment was not germane to the subject matter of the bill.

The Chair overruled the point of order.

Senator Weinert offered the following amendment to the amendment:

Amend by striking out the word "three" in concluding sentence of the amendment and insert the word "five."

The amendment to the amendment was adopted.

(Senator Hume in the chair.)

Pending discussion, Senator Collins moved the previous question on the amendment, which motion being duly seconded, was so ordered.

The amendment was lost by the following vote:

Yeas—8.

Collins.	Murray.
Mayfield.	Paulus.
McNealus.	Townsend.
Meachum.	Vaughan.

Nays—21.

Adams.	Peeler.
Astin.	Perkins.
Bryan.	Real.
Carter.	Terrell, McLennan
Cofer.	Terrell, Wise.
Greer.	Ward.
Hudspeth.	Warren.
Hume.	Watson.
Johnson.	Weinert.
Kauffman.	Willacy.
Lattimore.	

Present—Not Voting.

Ratliff.

Absent.

Sturgeon.

Senator Meachum offered the following amendment, which was read and adopted:

Amend the bill by inserting be-

fore the words "street cars" and before the words "interurban cars," wherever they occur in the bill, the word "electric."

Senator Mayfield offered the following amendment, which was read and adopted:

Add Section 4, page 2:

Sec. 4. The fact that great injustice and hardship is being done motormen who operate street cars and interurban cars creates an imperative public necessity demanding that the constitutional rule requiring bills to be read on three several days be suspended, and it is so enacted.

Senator Lattimore offered the following amendment, which was read and adopted:

Amend Section 1, page 1, line 30, by striking out the words "in conveying such excursionists over such city" in said line.

Senator Warren offered the following amendment, which was read and adopted:

Amend lines 17 and 18, on page 1, by striking out the following language: "without regard to the motive power employed in the operation of such cars."

Senator Warren offered the following amendment, which was read and adopted:

Amend line 17, page 1, by inserting after the comma following the word "State" the following language: "and carrying passengers for hire," and add a comma after the word "hire."

Senator Warren offered the following amendment:

Amend line 16, page 1, by inserting after the words "interurban cars" the following language: "on a track built for that purpose."

Senator Mayfield offered the following amendment to the amendment:

Amend the amendment by adding after the word "purpose" the following: "which has spikes in it."

The amendment to the amendment was lost.

The amendment was then lost.

Senator Lattimore offered the following amendment, which was read and adopted:

Amend printed bill, page 1, Section 1, line 19, by striking out the word "train" and inserting the word "trail."

Senator Vaughan offered the following amendment, which was read and adopted:

Amend the bill by striking out the words "between the hours of 9 o'clock a. m. and 5 o'clock p. m" from lines 30 and 31, page 1.

Senator Vaughan offered the following amendment:

Amend the bill as amended by adding after the last word in Section 1, page 1, the following: "Provided nothing in this Act shall be construed as applying to work cars, or any cars operating in construction service."

Senator Cofer moved the previous question on the amendment and the bill, which motion being duly seconded, was so ordered.

The amendment was adopted.

Bill read second time and ordered engrossed.

SIMPLE RESOLUTION.

(By Unanimous Consent.)

By Senator Kauffman:

Whereas, Dr. Carter, Dean of the Medical College at Galveston, is in the city; be it

Resolved, That he be invited to address this body.

The resolution was read and adopted.

The Chair appointed Senators Kauffman, Astin and Meachum as a committee to escort Dr. Carter to the president's stand.

Dr. Carter addressed the Senate briefly.

HOUSE BILL NO. 170.

On motion of Senator Weinert, the regular order of business (House Concurrent Resolution No. 11) was suspended, and the Senate took up, out of its order, House bill No. 170, by unanimous consent.

The Chair laid before the Senate on second reading

House bill No. 170, A bill to be entitled "An Act to validate the issuance of road bonds in Road District No. 2 of Caldwell county, Texas, and to authorize the commissioners court of said county to pay out any interest and sinking fund collected for \$40,000 road bonds of said district heretofore voted and held to be illegal by the Attorney General; and to authorize said commissioners court to pay out any part of the \$25,000 bond issue of said road district to parties who advanced money to construct roads in said road district prior to the issuance and sale of

said bonds; and to require the county treasurer of said county to pay out said funds out of proceeds of the sale of the bonds of said road district on the order of said commissioners court; to repeal all laws in conflict with this Act, and declaring an emergency," with engrossed rider.

The committee report, which provided that the bill be not printed, was adopted.

Bill read second time and passed to a third reading.

On motion of Senator Weinert the constitutional rule requiring bill's to be read on three several days was suspended and the bill put on its third reading and final passage by the following vote:

Yeas—29.

Adams.	Murray.
Astin.	Paulus.
Bryan.	Peeler.
Carter.	Perkins.
Cofer.	Real.
Collins.	Terrell, McLennan.
Greer.	Terrell, Wise.
Hudspeth.	Townsend.
Hume.	Vaughan.
Johnson.	Ward.
Kauffman.	Warren.
Lattimore.	Watson.
Mayfield.	Weinert.
McNealus.	Willacy.
Meachum.	

Absent.

Ratliff.

Sturgeon.

The bill was read third time and passed by the following vote:

Yeas—28.

Adams.	Peeler.
Astin.	Perkins.
Bryan.	Real.
Carter.	Terrell, McLennan.
Cofer.	Terrell, Wise.
Collins.	Townsend.
Greer.	Vaughan.
Hudspeth.	Ward.
Hume.	Warren.
Johnson.	Watson.
Kauffman.	Mayfield.
Lattimore.	McNealus.
Meachum.	Weinert.
Paulus.	Willacy.

Absent.

Murray.

Sturgeon.

Ratliff.

Senator Weinert moved to reconsider the vote by which the bill was passed and lay that motion on the table.

The motion to table prevailed.

SECOND HOUSE MESSAGE.

Hall of the House of Representatives,
Austin, Texas, Feb. 15, 1911.

Hon. A. B. Davidson, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bill:

House bill No. 6, A bill to be entitled "An Act making void all assignments, sales or pledges of unearned wages, salary or other compensation for personal services," with engrossed rider.

House bill No. 8, A bill to be entitled "An Act to amend Article 2957, Chapter 1, Title 55, of the Revised Statutes of the State of Texas, relating to the issuance of a marriage license, the amendment providing that in case of a female under 18 years of age and male under 21 years of age, the consent of the parent or guardian shall be given in person or in writing, signed and acknowledged by said parent or guardian before some officer authorized to take acknowledgments."

House bill No. 38, A bill to be entitled "An Act to create the Seventy-first Judicial District of the State of Texas; to fix the time of holding the terms of the district court in the counties composing said district; to provide for the appointment of a judge and district attorney in said district; to make all process issued or served before this Act goes into effect, including recognizances and bonds, returnable to the terms of the district court as herein fixed; to attach the unorganized counties of Cochran and Hockley to Lubbock county for judicial and all other purposes; to repeal all laws and parts of laws in conflict with this act, and declaring an emergency."

House Concurrent Resolution No. 29, requesting the members of Congress from Texas to ask the War Department to keep Captain Moses at the A. & M. College.

Respectfully,

BOB BARKER,

Chief Clerk House of Representatives.

BILLS READ AND REFERRED.

The Chair (President Pro Tem.

Hudspeth) had referred, after their captions had been read, the following House bills:

House bill No. 8, referred to Judiciary Committee No. 1.

House bill No. 38, referred to Committee on Judicial Districts.

House bill No. 6, referred to Judiciary Committee No. 1.

House Concurrent Resolution No. 29, referred to Committee on Educational Affairs.

HOUSE BILL NO. 2.

On motion of Senator Watson the regular order of business (House Concurrent Resolution No. 11) was suspended, and the Senate took up, out of its order, House bill No. 2 by unanimous consent.

The Chair laid before the Senate on second reading,

House bill No. 2, A bill to be entitled "An Act to amend Sections one (1) and two (2), Chapter 128 of the General Laws of the Twenty-sixth Legislature, the same being an Act providing the mode by which horses, mules, jacks, jennets and cattle may be prevented from running at large in certain counties therein named, or in any subdivision of said county (as amended by Chapter 24 of the General Laws of the Twenty-seventh Legislature, and Chapter 71 of the General Laws of the Twenty-eighth Legislature, and Chapters 23 and 94 of the General Laws of the Twenty-ninth Legislature, and Chapter 11 and 57 of the General Laws of the Thirtieth Legislature, and Chapter 69 of the General Laws of the Thirty-first Legislature) so as to include Brewster county within the provisions of said law, and repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

The committee report, with amendments, was adopted.

Senator Watson offered the following amendment, which was read and adopted:

Amend the bill page 2, line 7, by inserting between the words Fayette and Franklin the word "Floyd."

WATSON,
HUDSPETH,
JOHNSON.

Senator Watson offered the following amendment, which was read and adopted:

Amend the bill page 2, line 15, by inserting between the words Vic-

toria and Van Zandt the word "Val Verde."

**WATSON,
HUDSPETH.**

Senator Watson offered the following amendment, which was read and adopted:

Amend the bill page 2, line 10, by adding between the words Lavaca and Limestone the word "Lee."

Senator Watson offered the following amendment, which was read and adopted:

Amend the caption by striking out the word county in line 27, page 1, and insert in lieu thereof the following: "And Lee, Val Verde, Floyd and Wichita counties."

**WATSON,
HUDSPETH,
JOHNSON.**

Senator Watson offered the following amendment, which was read and adopted:

Amend the caption by adding after the words "as to" in line 26 the following: "exclude Wharton and Fort Bend counties, and to."

Senator Johnson offered the following amendment, which was read and adopted:

Amend the bill, line 16, page 2, between the words "Winkler and Wilbarger" the word "Wichita."

Bill read second time, and passed to a third reading.

On motion of Senator Watson, the constitutional rule requiring bills to be read on three several days was suspended and the bill put on its third reading and final passage by the following vote:

Yeas—27.

Adams.	Hume.
Astin.	Johnson.
Bryan.	Perkins.
Carter.	Real.
Cofer.	Terrell, McLennan
Collins.	Terrell, Wise.
Hudspeth.	Townsend.
Kauffman.	Vaughan.
Lattimore.	Ward.
Mayfield.	Warren.
McNealus.	Watson.
Meachum.	Weinert.
Paulus.	Willacy.
Peeler.	

Absent.

Greer.	Ratliff.
Murray.	Sturgeon.

The bill was read third time, and passed by the following vote:

Yeas—26.

Adams.	Meachum.
Astin.	Paulus.
Bryan.	Peeler.
Carter.	Perkins.
Cofer.	Real.
Collins.	Terrell, McLennan
Hudspeth.	Terrell, Wise.
Hume.	Townsend.
Johnson.	Vaughan.
Kauffman.	Ward.
Lattimore.	Warren.
Mayfield.	Watson.
McNealus.	Weinert.

Absent.

Greer.	Sturgeon.
Murray.	Willacy.
Ratliff.	

Senator Watson moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

HOUSE BILL NO. 111.

On motion of Senator Real, the pending order of business (House Concurrent Resolution No. 11) was suspended, and the Senate took up, out if its order, House bill No. 111, by unanimous consent.

RECESS.

Senator Weinert moved that the Senate recess until 3:30 o'clock today.

Senator Mayfield moved that the Senate adjourn until 10 o'clock tomorrow.

Action being on the longest time first, the motion to adjourn was lost by the following vote:

Yeas—4.

Adams.	Hume.
Hudspeth.	Kauffman.

Nays—21.

Astin.	Johnson.
Bryan.	Lattimore.
Carter.	Mayfield.
Cofer.	McNealus.
Collins.	Meachum.

Peeler.	Ward.	Yeas—26.	
Perkins.	Warren.		
Real.	Watson.	Adams.	Murray.
Terrell, Wise.	Weinert.	Astin.	Paulus.
Townsend.	Willacy.	Bryan.	Peeler.
Vaughan.		Carter.	Ratliff.
		Cofer.	Real.
	Absent.	Collins.	Terrell, McLennan.
Greer.	Ratliff.	Greer.	Terrell, Wise.
Murray.	Sturgeon.	Hume.	Townsend.
Paulus.	Terrell, McLennan	Johnson.	Vaughan.
		Lattimore.	Ward.
		Mayfield.	Warren.
		McNealus.	Watson.
		Meachum.	Weinert.

The motion to recess until 3:30 o'clock today was then adopted.

Yeas—27.
Absent.

AFTER RECESS.

The Senate was called to order by Lieutenant Governor Davidson.

Hudspeth. Sturgeon.
Kauffman. Willacy.
Perkins.

HOUSE BILL NO. 111.

The bill was read third time, and passed by the following vote:

Action recurred on House bill No. 111, as pending business and on second reading.

The Chair laid before the Senate on second reading.

House bill No. 111, A bill to be entitled "An Act to create the county court of Bexar county for civil cases; to define the jurisdiction thereof, and to conform to such change to the jurisdiction of the county court of Bexar county; fixing the salary of the judge of the county court of Bexar county for civil cases; providing for the appointment and election of the judges of said court hereby created; providing for the appointment of special judges and filling of vacancies in said office, and declaring an emergency."

The committee report, which recommended that the bill be not printed, was adopted.

Senator Real offered the following amendment, which was read and adopted:

Amend House bill No. 111, Section 12, line 11, by striking out "expenses" and inserting "ex officio duties."

Bill read second time, and passed to third reading.

On motion of Senator Real, the constitutional rule requiring bill to be read on three several days was suspended and the bill put on its third reading and final passage by the following vote:

Adams.	Paulus.
Astin.	Peeler.
Bryan.	Perkins.
Carter.	Ratliff.
Cofer.	Real.
Collins.	Terrell, McLennan.
Greer.	Terrell, Wise.
Hume.	Townsend.
Johnson.	Vaughan.
Lattimore.	Ward.
Mayfield.	Warren.
McNealus.	Watson.
Meachum.	Weinert.
Murray.	

Absent.

Hudspeth. Sturgeon.
Kauffman. Willacy.

Senator Real moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

THIRD HOUSE MESSAGE.

Hall of the House of Representatives.
Austin, Texas, Feb. 15, 1911.
Hon. A. B. Davidson, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bills:

House bill No. 39, A bill to be entitled "An Act amending Title 8, Chapter 2, of the Code of Criminal Procedure of the State of Texas,

1895, by adding thereto Article 644a, providing when special venires may not be summoned, and declaring an emergency."

House bill No. 54, A bill to be entitled "An Act to amend Section 20, Chapter 124, Acts of the Twenty-ninth Legislature, entitled 'An Act to provide for a more efficient system of public free schools for the State of Texas, etc.' and providing for the issuance by the Board of Examiners of Certificates of Examination on one or more subjects to applicants for teachers' certificates, and repealing all laws and parts of laws in conflict herewith," with engrossed rider.

House bill No. 62, A bill to be entitled "An Act to regulate the practice of veterinary medicine, surgery, and dentistry, creating a board for the examination of applicants for the practice of veterinary medicine, surgery and dentistry, prescribing their powers, duties, and qualifications, said board to be known as the 'State Board of Veterinary Medical Examiners' prescribing penalties for a violation of the provisions of this Act, and declaring an emergency," with engrossed rider.

House bill No. 124, A bill to be entitled "An Act providing the manner by which the qualified voters of any county or common or independent school district of any county may by petition to the county judge cause the county judge of any county to order an election to determine whether or not such county, common or independent school district may adopt the provisions of this Act for compulsory attendance by children between the ages of eight and fifteen years in such county or school district upon some public or other school; creating and defining certain duties of county judges and election officers and providing how the election aforesaid shall be had; providing that should such election result in favor of compulsory attendance of children between the ages named upon some school, then that the county judge shall order compulsory attendance upon some school of all children between the ages named in such county or school district; providing for the compulsory attendance upon the public schools in the county or district adopting the provisions of this Act and defining the duties of parents or persons having control of such child between eight and fifteen years and providing the length of term such child shall attend such school and

providing penalties for the parent or person in charge of such child who violates the provisions of this Act, and exempting certain children from attendance upon some public school operating under the provisions of this Act; providing that if any parent or person in charge of such child or children are financially unable to furnish the necessary books then that the same under certain terms and conditions shall be paid for by the county; defining certain duties of the county superintendent, of the county judge with reference thereto and conferring certain authority on them prohibiting the regular employment of any children between the ages of eight and fifteen where the school that such child should attend is in session and creating and defining offences in violating this Act and prescribing a penalty therefor and defining certain exceptions; defining certain duties of persons taking the school census of the district within the provisions of this Act, and of the county judge, county superintendent, county attorney and district judge; and prescribing that any child between the ages of eight and fifteen years if found within any county or district accepting the provisions of this Act, having neither parent or other person in charge of them, shall be taken in charge of and conveyed to the State Orphans' Home and there attend school for the length of time prescribed in the Act, and prescribing certain directions and conditions with reference to such child, and prescribing certain duties of the commissioner's courts, sheriff and county judge; creating and defining certain offences providing certain provisions of this Act and prescribing penalties therefor, and declaring an emergency' with engrossed rider.

House bill No. 140, A bill to be entitled "An Act to amend Article 1113 of the Code of Criminal Procedure of the State of Texas adopted at the Regular Session of the Twenty-fourth Legislature (1895) relating to the pay of jurors in criminal cases."

Respectfully,

BOB BARKER,

Chief Clerk House of Representatives.

BILLS READ AND REFERRED.

The Chair (Lieutenant Governor Davidson) had referred, after their captions had been read, the following House bills:

House bill No. 39, referred to Committee on Judiciary No. 2.

House bill No. 54, referred to Committee on Educational Affairs.

House bill No. 62, referred to Committee on Judiciary No. 2.

House bill No. 124, referred to Committee on Educational Affairs.

House bill No. 140, referred to Committee on Judiciary No. 2.

HOUSE CONCURRENT RESOLUTION NO. 8.

On motion of Senator Collins, the pending order of business (House Concurrent Resolution No. 11) was suspended, and the Senate took up, out of its order, House Concurrent Resolution No. 8, by the following vote:

Yeas—24.

Adams.	Paulus.
Astin.	Peeler.
Bryan.	Perkins.
Carter.	Ratliff.
Cofer.	Real.
Collins.	Terrell, McLennan
Johnson.	Terrell, Wise.
Lattimore.	Townsend.
Mayfield.	Vaughan.
McNealus.	Ward.
Meachum.	Warren.
Murray.	Weinert.

Absent.

Hudspeth.	Watson.
Kauffman.	Willacy.
Sturgeon.	

The Chair laid before the Senate on second reading

House Concurrent Resolution No. 8, "Providing for the creation of a commission to investigate and report to the Legislature of this State during its present session a bill to fairly compensate employes for injuries received in the course of employment, and defining the duties of said commission, and making an appropriation to carry same into effect."

Senator Collins offered the following amendment, which was read and adopted:

Amend House Concurrent Resolution No. 8 as follows: Strike out the word "three," in line 23, page 1 of the printed resolution, and insert the word "four" in lieu thereof.

Senator Collins offered the follow-

ing amendment, which was read and adopted:

Amend as follows: Strike out the word "three" in line 24, page 1, printed resolution, and insert the word "four" in lieu thereof.

Senator Collins offered the following amendment, which was read and adopted:

Amend as follows: Strike out the word "two" in line 25, page 1, printed resolution, and insert the word "three" in lieu thereof.

Senator Collins offered the following amendment, which was read and adopted:

Amend as follows: Strike out the word "two" in line 26, page 1, printed resolution, and insert the word "three" in lieu thereof.

Senator Collins offered the following amendment, which was read and adopted:

Amend as follows: Strike out all of Section 2 after the words "Texas Senate."

The resolution was then adopted.

HOUSE CONCURRENT RESOLUTION NO. 11.

The Chair laid before the Senate, as pending business,

House Concurrent Resolution No. 11, making application to the Congress of the United States to submit to the people an amendment to the Federal Constitution, providing for the election of United States Senators by a direct vote of the people.

The committee report, with amendments, was adopted.

The resolution was read and adopted.

HOUSE BILL NO. 27.

The Chair laid before the Senate, as regular order and on second reading,

House bill No. 27, A bill to be entitled "An Act to provide for the erection of a monument over the remains of General Stephen F. Austin, in the State Cemetery at Austin, Texas; to make an appropriation therefore, and declaring an emergency."

Bill read second time, and passed to a third reading.

On motion of Senator Peeler, the constitutional rule requiring bills to be read on three several days was suspended and the bill put on its third reading and final passage by the following vote:

Yeas—27.

Adams.	Paulus.
Astin.	Peeler.
Bryan.	Perkins.
Carter,	Ratliff.
Cofer.	Real.
Collins.	Terrell, McLennan
Hudspeth.	Terrell, Wise.
Hume.	Townsend.
Johnson.	Ward.
Lattimore.	Vaughan.
Mayfield.	Warren.
McNealus.	Watson.
Meachum.	Willacy.
Murray.	

Absent.

Greer.	Sturgeon.
Kauffman.	Weinert.

The bill was read third time, and passed by the following vote:

Yeas—27.

Adams.	Paulus.
Astin.	Peeler.
Bryan.	Perkins.
Carter.	Ratliff.
Cofer.	Real.
Collins.	Terrell, McLennan
Hudspeth.	Terrell, Wise.
Hume.	Townsend.
Johnson.	Vaughan.
Lattimore.	Ward.
Mayfield.	Warren.
McNealus.	Watson.
Meachum.	Willacy.
Murray.	

Absent.

Greer.	Sturgeon.
Kauffman.	Weinert.

Senator Peeler moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

HOUSE CONCURRENT RESOLUTION NO. 13.

The Chair laid before the Senate as regular order,

House Concurrent Resolution No. 13, requesting the United State Congress to pass the law known as the Scott Bill, to prohibit gambling in cotton futures by Board of Trade and Cotton Exchanges.

The resolution was read and adopted.

HOUSE CONCURRENT RESOLUTION NO. 14.

The Chair laid before the Senate as regular order,

House Concurrent Resolution No. 14, A resolution urging Texas Congressmen and Senators to support Congressman Lively's resolution amending the Federal Constitution, etc.

The resolution was read and adopted.

HOUSE CONCURRENT RESOLUTION NO. 9.

The Chair laid before the Senate as regular order,

House Concurrent Resolution No. 9.

Whereas, It is currently reported that there is now being operated within this State an electrical monopoly or trust; and,

Whereas, There is a general dissatisfaction throughout this State with the conduct of the business affairs and public service of the different electrical companies, embraced within this monopoly or trust, doing business in this State, therefore be it

Resolved by the House of Representatives, the Senate concurring, That the Attorney General be requested to investigate the books and affairs of the Southwestern Telegraph and Telephone Company, the Bell Telephone Company, Western Union Telegraph Company, Postal Telegraph Company, Western Electric Company, General Electric Company, the United States Electrical Corporation of New Jersey and its branches in Texas, and the Stone & Webster interests, and that he be requested to report back to the Legislature at his earliest convenience.

The resolution was read and adopted.

HOUSE BILL NO. 50.

House bill No. 51 being regular order was read, and on motion of Senator Willacy the regular order of business (House bill No. 51) was suspended, and the Senate took up, out of its order, House bill No. 50, by the following vote:

Yeas—29.

Adams.	Paulus.
Astin.	Peeler.
Bryan.	Perkins.
Carter.	Ratliff.
Cofer.	Real.
Collins.	Terrell, McLennan
Greer.	Terrell, Wise.
Hudspeth.	Townsend.
Hume.	Vaughan.
Johnson.	Ward.
Lattimore.	Warren.
Mayfield.	Watson.
McNealus.	Weinert.
Meachum.	Willacy.
Murray.	

Absent.

Kauffman. Sturgeon.

The Chair laid before the Senate on second reading,

House bill No. 50, A bill to be entitled "An Act to exempt the county of Starr from the provisions and operations of Articles 5002 and 5042 inclusive of Chapter 6, Title 102 of the Revised Civil Statutes of 1895, amended by the Acts of the Twenty-eighth and Twenty-ninth Legislatures relating to the inspection of hides and animals and repealing all laws in conflict therewith, and declaring an emergency."

The committee report, providing that the bill be not printed, was adopted.

Bill read second time, and passed to a third reading.

On motion of Senator Willacy, the constitutional rule requiring bills to be read on three several days was suspended and the bill put on its third reading and final passage by the following vote:

Yeas—29.

Adams.	Paulus.
Astin.	Peeler.
Bryan.	Perkins.
Carter.	Ratliff.
Cofer.	Real.
Collins.	Terrell, McLennan
Greer.	Terrell, Wise.
Hudspeth.	Townsend.
Hume.	Vaughan.
Johnson.	Ward.
Lattimore.	Warren.
Mayfield.	Watson.
McNealus.	Weinert.
Meachum.	Willacy.
Murray.	

Absent.

Kauffman. Sturgeon.

The bill was read third time and passed by the following vote:

Yeas—29.

Adams.	Paulus.
Astin.	Peeler.
Bryan.	Perkins.
Carter.	Ratliff.
Cofer.	Real.
Collins.	Terrell, McLennan
Greer.	Terrell, Wise.
Hudspeth.	Townsend.
Hume.	Vaughan.
Johnson.	Ward.
Lattimore.	Warren.
Mayfield.	Watson.
McNealus.	Weinert.
Meachum.	Willacy.
Murray.	

Absent.

Kauffman. Sturgeon.

Senator Willacy moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

FIFTH HOUSE MESSAGE.

Hall of the House of Representatives,
Austin, Texas, Feb. 15, 1911.

Hon. A. B. Davidson, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bill:

House bill No. 160, A bill to be entitled "An Act to amend House bill No. 345, Chapter 164, Laws of the Thirtieth Legislature, approved April 19, 1907, making lawful the purchase and sale of wild ducks and wild geese, when lawfully killed, and permitting the shipment thereof within this State, and declaring an emergency," with engrossed rider.

Respectfully,

BOB BARKER,

Chief Clerk House of Representatives.

BILL READ AND REFERRED.

The Chair (Lieutenant Governor Davidson) had referred, after its caption had been read, the following House bill:

House bill No. 160, referred to Committee on Judiciary No. 2.

SENATE BILL NO. 255.

On motion of Senator Cofer, the regular order of business (House bill No. 51) was suspended, and the Senate took up, out of its order, Senate bill No. 255, by the following vote:

Yeas—28.

Adams.	Paulus.
Astin.	Peeler.
Bryan.	Perkins.
Carter.	Ratliff.
Cofer.	Real.
Collins.	Terrell, McLennan
Hudspeth.	Terrell, Wise.
Hume.	Townsend.
Johnson.	Vaughan.
Lattimore.	Ward.
Mayfield.	Warren.
McNealus.	Watson.
Meachum.	Weinert.
Murray.	Willacy.

Absent.

Greer.	Sturgeon.
Kauffman.	

On motion of Senator Cofer, the constitutional rule requiring bills to be read on three several days was suspended and the bill put on its second reading by the following vote:

Yeas—28.

Adams.	Paulus.
Astin.	Peeler.
Bryan.	Perkins.
Carter.	Ratliff.
Cofer.	Real.
Collins.	Terrell, McLennan
Greer.	Terrell, Wise.
Hume.	Townsend.
Johnson.	Vaughan.
Lattimore.	Ward.
Mayfield.	Warren.
McNealus.	Watson.
Meachum.	Weinert.
Murray.	Willacy.

Absent.

Hudspeth.	Sturgeon.
Kauffman.	

On motion of Senator Cofer, the Senate rule requiring committee reports to lie over for one day was suspended, for the purpose of considering this bill (see Appendix for

committee report) by the following vote:

Yeas—27.

Adams.	Paulus.
Astin.	Peeler.
Bryan.	Perkins.
Carter.	Real.
Cofer.	Terrell, McLennan
Collins.	Terrell, Wise.
Greer.	Townsend.
Hume.	Vaughan.
Johnson.	Ward.
Lattimore.	Warren.
Mayfield.	Watson.
McNealus.	Weinert.
Meachum.	Willacy.
Murray.	

Absent.

Hudspeth.	Ratliff.
Kauffman.	Sturgeon.

The committee report, which provided that the bill be not printed, was adopted.

The Chair laid before the Senate on second reading,

Senate bill No. 255, A bill to be entitled "An Act to amend the Charter of the City of Gainesville, approved March 17, 1909, by creating a Board of Water Commissioners, to be appointed by the City Council, and prescribing the powers and duties of such board, and declaring an emergency."

Senator Cofer offered the following amendment, which was read and adopted:

Amend the original bill by adding at the end of Section 2 of the bill the following:

"Provided the City Council may, at the expiration of the term of office of any of said Water Commissioners, reduce the number of said commissioners to not less than three, by discontinuing the offices of one or two of the commissioners whose terms are then expiring."

Bill read second time and ordered engrossed.

On motion of Senator Cofer, the constitutional rule requiring bills to be read on three several days was suspended and the bill put on its third reading and final passage by the following vote:

Yeas—28.

Adams.	Bryan.
Astin.	Carter.

Cofer.	Perkins.
Collins.	Ratliff.
Greer.	Real.
Hume.	Terrell, McLennan
Johnson.	Terrell, Wise.
Lattimore.	Townsend.
Mayfield.	Vaughan.
McNealus.	Ward.
Meachum.	Warren.
Murray.	Watson.
Paulus.	Weinert.
Peeler.	Willacy.

Absent.

Hudspeth.	Sturgeon.
Kauffman.	

The bill was read third time and passed by the following vote:

Yeas—28.

Adams.	Paulus.
Astin.	Peeler.
Bryan.	Perkins.
Carter.	Ratliff.
Cofer.	Real.
Collins.	Terrell, McLennan
Greer.	Terrell, Wise.
Hume.	Townsend.
Johnson.	Vaughan.
Lattimore.	Ward.
Mayfield.	Warren.
McNealus.	Watson.
Meachum.	Weinert.
Murray.	Willacy.

Absent.

Hudspeth.	Sturgeon.
Kauffman.	

Senator Cofer moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

SENATE CONCURRENT RESOLUTION NO. 13.

By Senator Meachum:

Senate Concurrent Resolution No. 13, "Resolved, By the Senate of Texas, the House of Representatives concurring, that the Hon. Judson Harmon of Ohio, twice elected Governor of that great State, and one of the most distinguished Democrats of the Nation, to whom the hosts of the militant National Democracy are looking for leadership in the next great contest, be invited to address the Legislature in joint session at

such time during the present session as may suit his convenience; that a copy of this resolution, under the signatures of the President of the Senate and Speaker of the House, respectively, be telegraphed to Governor Harmon for his consideration."

The resolution was read and adopted.

(Terrell of McLennan in the chair.)

SENATE BILL NO. 188.

On motion of Senator Ward, the regular order of business (House bill No. 51) was suspended, and the Senate took up, out of its order Senate bill No. 188, by the following vote:

Yeas—27.

Adams.	Paulus.
Astin.	Peeler.
Bryan.	Perkins.
Carter.	Ratliff.
Cofer.	Terrell, McLennan
Collins.	Terrell, Wise.
Hudspeth.	Townsend.
Hume.	Vaughan.
Johnson.	Ward.
Lattimore.	Warren.
Mayfield.	Watson.
McNealus.	Weinert.
Meachum.	Willacy.
Murray.	

Absent.

Greer.	Real.
Kauffman.	Sturgeon.

The Chair laid before the Senate on second reading

Senate bill No. 188, A bill to be entitled "An Act to amend Section 14 of sepclal road law of Johnson county, passed at the Regular Session of the Twenty-ninth Legislature."

The bill was read second time and ordered engrossed.

SENATE BILL NO. 70—REFUSED TO TAKE UP.

Senator Johnson moved that the regular order of business (House bill No. 51) be suspended, and the Senate take up, out of its order Senate bill No. 70.

The motion was lost by the following vote, a four-fifths vote being necessary:

Yeas—22.

Adams.	Paulus.
Astin.	Peeler.
Bryan.	Perkins.
Carter.	Ratliff.
Cofer.	Real.
Hudspeth.	Terrell, McLennan
Hume.	Townsend.
Johnson.	Warren.
Lattimore.	Watson.
Meachum.	Weinert
Murray.	Willacy.

Nays—6.

Collins.	McNealus.
Greer.	Terrell, Wise.
Mayfield.	Vaughan.

Absent.

Kauffman.	Ward.
Sturgeon.	

HOUSE BILL NO. 357.

On motion of Senator Willacy, the regular order of business (House bill No. 51) was suspended, and the Senate took up, out of its order House bill No. 357, by the following vote:

Yeas—26.

Adams.	Paulus.
Astin.	Murray.
Bryan.	Peeler.
Carter.	Perkins.
Cofer.	Ratliff.
Greer.	Real.
Hudspeth.	Terrell, McLennan.
Hume.	Townsend.
Johnson.	Vaughan.
Lattimore.	Warren.
Mayfield.	Watson.
McNealus.	Weinert.
Meachum.	Willacy.

Absent.

Collins.	Terrell, Wise.
Kauffman.	Ward.
Sturgeon.	

On motion of Senator Willacy, the Senate rule requiring committee reports to lie over for one day was suspended, for the purpose of considering this bill (see Appendix for committee report.)

The committee report, which provided that the bill be not printed, was adopted.

The Chair laid before the Senate on second reading

House bill No. 357, A bill to be entitled "An Act to incorporate the city of Laredo, Webb county, Texas, and to grant it a charter; to provide for its form of government; to define its powers and to prescribe its duties and liabilities; to repeal all Acts in conflict herewith, and to declare an emergency."

Bill read second time, and ordered passed to a third reading.

On motion of Senator Willacy, the constitutional rule requiring bills to be read on three several days was suspended and the bill put on its third reading and final passage by the following vote:

Yeas—28.

Adams	Murray.
Astin.	Paulus.
Bryan.	Peeler.
Carter.	Perkins.
Cofer.	Ratliff.
Collins.	Real.
Greer.	Terrell, McLennan.
Hudspeth.	Townsend.
Hume.	Vaughan.
Johnson.	Ward.
Lattimore.	Warren.
Mayfield.	Watson.
McNealus.	Weinert.
Meachum.	Willacy.

Absent.

Kauffman.	Terrell, Wise.
Sturgeon.	

The bill was read third time and passed by the following vote:

Yeas—27.

Adams.	Murray.
Astin.	Paulus.
Bryan.	Peeler.
Carter.	Perkins.
Cofer.	Real.
Collins.	Terrell, McLennan
Greer.	Townsend.
Hudspeth.	Vaughan.
Hume.	Ward.
Johnson.	Warren.
Lattimore.	Watson.
Mayfield.	Weinert.
McNealus.	Willacy.
Meachum.	

Absent.

Kauffman.	Sturgeon.
Ratliff.	Terrell, Wise.

Senator Willacy moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

SENATE JOINT RESOLUTION NO. 5.

Senator Watson moved that the regular order of business (House bill No. 51) be suspended, and the Senate take up, out of its order Senate Joint Resolution No. 5.

Senator Hudspeth moved, as a substitute, that the regular order of business (House bill No. 51) be suspended, and the Senate take up, out of its order, Senate bill No. 168.

Senator Watson moved to table the substitute motion, which motion to table was lost.

Action recurred on the substitute motion, which was lost by the following vote, it requiring four-fifths vote:

Yeas—12.

Adams.	Paulus.
Cofer.	Peeler.
Hudspeth.	Perkins.
McNealus.	Real.
Meachum.	Terrell, McLennan.
Murray.	Watson.

Nays—11.

Astin.	Mayfield.
Bryan.	Townsend.
Collins.	Vaughan.
Greer.	Warren.
Hume.	Weinert.
Lattimore.	

Present—Not Voting.

Carter.	Ward.
Johnson.	Willacy.

Absent.

Kauffman.	Sturgeon.
Ratliff.	Terrell, Wise.

Action recurred on the motion to take up Senate Joint Resolution No. 5, and the same was adopted by the following vote:

Yeas—24.

Adams.	Hudspeth.
Astin.	Hume.
Bryan.	Johnson.
Cofer.	Lattimore.
Collins.	Mayfield.

Meachum.	Townsend.
Paulus.	Vaughan.
Peeler.	Ward.
Perkins.	Warren.
Real.	Watson.
Terrell, McLennan.	Weinert.
Terrell, Wise.	Willacy.

Nays—4.

Carter.	McNealus.
Greer.	Murray.

Absent.

Kauffman.	Sturgeon.
Ratliff.	

The Chair laid before the Senate on second reading,

Senate Joint Resolution No. 5, "To amend Section 3 of Article 7 of the Constitution of the State of Texas in regard to the taxing power of school districts, incorporated cities and towns, and counties."

Senator Watson moved that the resolution be made a special order for tomorrow afternoon at 3 o'clock.

The motion was adopted.

REFUSE TO ADJOURN.

Senator Hume, at 5:40 o'clock p. m., moved that the Senate adjourn until 10 o'clock tomorrow morning.

The motion was lost by the following vote:

Yeas—14.

Adams.	Peeler.
Astin.	Perkins.
Greer.	Real.
Hume.	Terrell, McLennan.
Meachum.	Watson.
Murray.	Weinert.
Paulus.	Willacy.

Nays—14.

Bryan.	McNealus.
Carter.	Ratliff.
Cofer.	Terrell, Wise.
Collins.	Townsend.
Johnson.	Vaughan.
Lattimore.	Ward.
Mayfield.	Warren.

Absent.

Hudspeth.	Sturgeon.
Kauffman.	

SENATE BILL NO. 241.

Senator Bryan moved that the regular order of business (House bill No. 51) be suspended, and the Senate take up, out of its order, Senate bill No. 241.

The motion was lost by the following vote; a four-fifths vote being necessary:

Yeas—17.

Adams.	Peeler.
Bryan.	Perkins.
Carter.	Ratliff.
Cofer.	Real.
Collins.	Terrell, McLennan.
Greer.	Terrell, Wise.
Johnson.	Townsend.
Mayfield.	Weinert.
Paulus.	

Nays—9.

Hudspeth.	Vaughan.
Lattimore.	Ward.
McNealus.	Warren.
Meachum.	Watson.
Murray.	

Absent.

Astin.	Sturgeon.
Hume.	Willacy.
Kauffman.	

HOUSE BILL NO. 51.

The Chair laid before the Senate on second reading,

House bill No. 51, A bill to be entitled, "An Act to amend an Act of the Thirty-first Legislature, entitled 'An Act to create a Bureau of Labor Statistics, and to provide for the appointment of a Commissioner of said Bureau, and to fix the duties of the said Commissioner, and to provide for the organization and maintenance of said Bureau, and for the collection, preservation and dissemination of labor statistics in Texas, and declaring an emergency,' so as to provide for the appointment by the Commissioner of Labor Statistics of an Inspector of Safety Appliances, and also to provide for the appointment by such Commissioner of a Clerk and Factory Inspector, increasing the appropriation for traveling expenses, and declaring an emergency."

REFUSED TO ADJOURN.

Senator Weinert moved that the

Senate adjourn until 10 o'clock tomorrow morning.

Senator Cofer moved that the Senate recess until 8:30 o'clock tonight.

Action recurred on the motion to adjourn and the same was lost by the following vote:

Yeas—12.

Adams.	Peeler.
Greer.	Perkins.
Hudspeth.	Real.
Meachum.	Terrell, McLennan.
Murray.	Watson.
Paulus.	Weinert.

Nays—14.

Bryan.	McNealus.
Carter.	Ratliff.
Cofer.	Terrell, Wise.
Collins.	Townsend.
Johnson.	Vaughan.
Lattimore.	Ward.
Mayfield.	Warren.

Absent.

Astin.	Sturgeon.
Hume.	Willacy.
Kauffman.	

The motion to recess until 8:30 o'clock tonight was then lost by the following vote:

Yeas—11.

Cofer.	Terrell, Wise.
Collins.	Townsend.
Johnson.	Vaughan.
Lattimore.	Ward.
Mayfield.	Warren.
Ratliff.	

Nays—16.

Adams.	Paulus.
Bryan.	Peeler.
Carter.	Perkins.
Greer.	Real.
Hudspeth.	Terrell, McLennan.
McNealus.	Watson.
Meachum.	Weinert.
Murray.	Willacy.

Absent.

Astin.	Kauffman.
Hume.	Sturgeon.

SIXTH HOUSE MESSAGE.

Hall of the House of Representatives.

Austin, Texas, Feb. 15, 1911.

Hon. A. B. Davidson, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bills:

House bill No. 138, A bill to be entitled "An Act to provide for the establishment, organization, and control of public high schools in the common school districts of Texas, making an appropriation for the teaching of agriculture, domestic economy and manual training in said high schools and in certain high schools already established, and declaring an emergency."

House bill No. 168, A bill to be entitled "An Act to amend Section 2, of Chapter 42, of the General Laws of the Thirtieth Legislature, relating to exemptions as effecting employees of common carriers, religious societies, volunteer firemen and Confederate veterans," with engrossed rider.

Respectfully,

BOB BARKER,

Chief Clerk House of Representatives.

SIMPLE RESOLUTION.

Senator Lattimore offered a simple resolution, by unanimous consent, and pending the discussion on same it was later withdrawn.

The resolution was read and Senator Meachum made a point of order that the resolution called for the Senate to hold night sessions beginning on the 13th, which was an impossible date.

The Chair overruled the point of order.

Senator Vaughan offered an amendment to the resolution, and Senator Meachum objected.

The Chair, Senator Terrell of McLennan, held that the resolution was subject to amendment, in view of the fact that it was in possession of the Senate.

Pending discussion on the above Senator Meachum moved that the Senate adjourn until 10 o'clock tomorrow morning.

Senator Cofer moved as a substitute, that the Senate recess until 8:30 o'clock tonight.

Action recurred on the motion to adjourn first and the same was lost by the following vote:

Yeas—11.

Adams.	Real.
Greer.	Terrell, McLennan
Hudspeth.	Watson.
Meachum.	Weinert.
Paulus.	Willacy.
Peeler.	

29—8

Nays—14.

Carter.	Perkins.
Cofer.	Ratliff.
Collins.	Terrell, Wise.
Jonhson.	Townsend.
Lattimore.	Vaughan.
Mayfield.	Ward.
McNealus.	Warren.

Absent.

Astin.	Kauffman.
Bryan.	Murray.
Hume.	Sturgeon.

(Lieutenant Governor Davidson in the chair.)

The motion to recess until 8:30 o'clock tonight was then lost by the following vote:

Yeas—11.

Cofer.	Terrell, Wise.
Collins.	Townsend.
Johnson.	Vaughan.
Lattimore.	Ward.
Mayfield.	Warren.
Ratliff.	

Nays—15.

Adams.	Peeler.
Carter.	Perkins.
Greer.	Real.
Hudspeth.	Terrell, McLennan.
McNealus.	Watson.
Meachum.	Weinert.
Murray.	Willacy.
Paulus.	

Absent.

Astin.	Kauffman.
Bryan.	Sturgeon.
Hume.	

The simple resolution was, at this time, withdrawn.

BILLS READ AND REFERRED.

The Chair (Lieutenant Governor Davidson) had referred, after their captions had been read, the following House bills:

House bill No. 168, referred to Committee on Internal Improvements.

House bill No. 138, referred to Committee on Educational Affairs.

SIMPLE RESOLUTION.

(By Unanimous Consent.)

By Senator Willacy:

Whereas, That Rev. V. G. Thomas of Corpus Christi, one of the trustees of the State Juvenile School, is at the bar of the Senate; therefore, be it

Resolved, That he be invited to address the Senate.

The resolution was read and adopted.

The Chair appointed Senators Willacy, Perkins and Terrell of Wise to escort Rev. Thomas to the President's chair. Rev. Thomas thanked the Senate for the courtesy extended him.

Senator Ratliff asked to offer a motion in writing but there was objection and he withdrew same.

SEVENTH HOUSE MESSAGE.

Hall of the House of Representatives,
Austin, Texas, Feb. 15, 1911.

Hon. A. B. Davidson, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bills:

House bill No. 244, A bill to be entitled "An Act prohibiting any physician, surgeon, osteopath, masseur, or any other person who practices medicine or the art of healing the sick or the afflicted, with or without the use of medicine, from employing or agreeing to employ, paying or promising to pay, or rewarding or promising to reward, any person, persons, firm, association of persons, copartnership or corporation for securing, soliciting or drumming patients or patronage; to prohibit any person, persons, firm, association of persons, copartnership or corporation from accepting or agreeing to accept any payment, fee, gift, or reward, or anything of value, for securing, soliciting, or drumming for patients or patronage for any physician, surgeon, osteopath, masseur, or any other person who practices medicine or the art of healing with or without medicine, fixing the penalty for the violation of the provisions of this Act, and declaring an emergency."

House bill No. 291, A bill to be entitled "An Act to prohibit the taking, catching, killing or destroying any fish in fresh water streams, lakes, bayous, ponds or pools within this

State, by means of dynamite, giant powder or other explosives or by means of poisoning, liming, ditching, muddying, draining, or by the use of traps, nets, seines (except minnow seines for catching bait), or by any other means except the ordinary hook and line and trot line; prescribing penalties for its violation, exempting certain counties from the provisions of Section 3 of this Act, repealing Chapter 75 of the General Laws of the Thirty-first Legislature, and all other laws in conflict with the same, and declaring an emergency," with engrossed rider.

Concurs in Senate amendments to House Concurrent Resolutions Nos. 8 and 11; also

Concurs in Senate amendments to House bill No. 111, by the following vote: Yeas 109, nays 0.

Respectfully,

BOB BARKER,

Chief Clerk House of Representatives.

ADJOURNMENT.

On motion of Senator Mayfield, the Senate, at 6:30 o'clock p. m., adjourned until 10 o'clock tomorrow morning.

APPENDIX.

COMMITTEE REPORTS.

(Floor Report.)

Austin, Texas, Feb. 15, 1911.

Hon. A. B. Davidson, President of the Senate.

Sir: We, your Committee on Educational Affairs, to whom was referred

Senate bill No. 222, A bill to be entitled "An Act to create the South Park Independent School District, known now as Common School District No. 6, in Jefferson county, Texas, to provide for the election of trustees for the raising of revenues, issuing bonds, building and maintaining school houses, maintaining public free schools, declaring valid an issue of bonds heretofore made valid and declaring an emergency."

Have had the same under consideration, and beg leave to report it back to the Senate with the recommendation that it do pass, and be not printed.

Perkins, Chairman; Paulus, Col-

lins, Astin, Ratliff, Weinert, Real, Hume, Warren.

(Floor Report.)

Austin, Texas, Feb. 15, 1911.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Educational Affairs, to whom was referred

House bill No. 70, A bill to be entitled "An Act creating and incorporating the Indian Gap Independent School District in Hamilton county, Texas, and defining its boundaries."

Have had the same under consideration, and beg leave to report same back to the Senate with the recommendation that it do pass and be not printed.

Perkins, Chairman; Collins, Astin, Ratliff, Real, Weinert, Paulus, Warren, Hume.

Committee Room.

Austin, Texas, Feb. 15, 1911.

Hon. A. B. Davidson, President of the Senate.

Sir: We, your Committee on Towns and City Corporations to whom was referred

Senate bill No. 255, A bill to be entitled "An Act to amend the charter of the City of Gainesville, approved March 17, 1909, by creating a board of water commissioners, to be appointed by the city council, and prescribing the powers and duties of such board, and declaring an emergency."

Have had the same under consideration, and beg leave to report the same back to the Senate with the recommendation that it do pass and be not printed.

Meachum, Chairman; Terrell of McLennan, Kauffman, Collins, Hume, Peeler, Vaughan, Lattimore, McNealus, Perkins, Hudspeth.

(Floor Report.)

Austin, Texas, Feb. 15, 1911.

Hon. A. B. Davidson, President of the Senate.

Sir: We, the undersigned members of your Committee on Towns and City Corporations, to whom was referred

House bill No. 357, A bill to be entitled "An Act to incorporate the City of Laredo, Webb county, Texas, and to grant it a charter; to provide for its form of government; to define its

powers and to prescribe its duties and liabilities; to repeal all Acts in conflict herewith, and to declare an emergency."

Have had the same under consideration, and we report same back to the Senate with the recommendation that it do pass, and be not printed.

Meachum, Chairman; Collins, McNealus, Hudspeth, Perkins, Peeler, Vaughan, Terrell of McLennan, Kauffman, Hume, Lattimore.

Committee Room.

Austin, Texas, Feb. 14, 1911.

Hon. A. B. Davidson, President of the Senate.

Sir: We, your Committee on Internal Improvements, to whom was referred

Senate Concurrent Resolution No. 12, A concurrent resolution providing for the creation of a commission to investigate and report back to the next session of the Legislature upon the question of wharf and terminal facilities at all Texas ports; to investigate and report the ownership of wharves and terminals, the charges and discrimination made by same, the advisability of purchasing wharves and terminals by municipalities, and the means of purchasing same, and making an appropriation to carry out the provisions of this resolution.

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass.

KAUFFMAN, Chairman.

Committee Room.

Austin, Texas, Feb. 14, 1911.

Hon. A. B. Davidson, President of the Senate.

Sir: We, your Committee on Internal Improvements, to whom was referred

Senate bill No. 191, A bill to be entitled "An Act to authorize the Texas Traction Company, a corporation, to purchase the Denison & Sherman Railway Company, a corporation, and to acquire, own, maintain and operate the properties now owned by the said Denison & Sherman Railway Company, including its lines of railway in the cities of Denison and Sherman, Grayson county, Texas, as well as its interurban railway connecting said cities, together with all franchises and rights possessed, owned and enjoyed by it, the Denison & Sherman Railway Com-

pany, and authorizing the said Denison & Sherman Railway Company, in case of said sale and purchase, to convey, assign and deliver its propertise, franchises and rights to the Texas Traction Company, to be owned and operated under its charter as part of its own lines and to authorize the Denison & Sherman Railway Company to convert a part of its capital stock into second mortgage bonds, and to authorize the Denison & Sherman Railway Company to execute a new mortgage to take up the outstanding mortgage for \$50,000.00, and to authorize the Texas Traction Company to mortgage the property so acquired, all to be subject to existing mortgages and liens."

Have had the same under consideration, and find it properly advertised, and I am instructed to report it back to the Senate with the recommendation that it do pass.

KAUFFMAN, Chairman.

Committee Room,
Austin, Texas, Feb. 14, 1911.

Hon. A. B. Davidson, President of the Senate.

Sir: We, your Committee on Internal Improvements, to whom was referred

Senate bill No. 187, A bill to be entitled "An Act to amend Chapter 42 of the Acts of the Thirtieth Legislature, by adding thereto Section 2a, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, with the following amendment:

Amend the bill by adding after Pilot Commissioners the following:

"Any bona fide policeman or fireman in the service of any city or town in Texas may have the right to ride upon free transportation furnished by any steam railroad company, any street railway company, any interurban railway company or other lines of public transportation, when such policeman or fireman is in the discharge of his public duty; but this provision shall not be construed so as to apply to men holding commissions as special policemen or firemen."

KAUFFMAN, Chairman.

Committee Room,
Austin, Texas, Feb. 15, 1911.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Judiciary Committee No. 1, to whom was referred

Senate bill No. 251, A bill to be entitled "An Act to amend Article 642, Title 21, Chapter 2, of the Revised Statutes of the State of Texas, relating to the purposes for which private corporations may be formed, and to add thereto subdivision 17a, authorizing the organization of corporations for the purpose of contracting and repairing houses, bridges and other structures."

Have had the same under consideration, and I am instructed to report same back to the Senate with the recommendation that it do pass.

WARD, Chairman.

(Majority Report.)

Committee Room,

Austin, Texas, Feb. 15, 1911.

Hon. A. B. Davidson, President of the Senate.

Sir: We, a majority of your Committee on Judiciary No. 2, to whom was referred

Senate bill No. 58, A bill to be entitled "An Act to amend Article 199, Chapter 2, Title 7, of the Penal Code of the State of Texas, and to insert in said Chapter 2, immediately following said Article 199, an Article to be designated and known as Article 199a, providing that upon each conviction after the first violation of any of the provisions of the said Article 199, as amended by that Act, the punishment shall be double that prescribed."

Have had the same under consideration, and I am instructed to report same back to the Senate with the recommendation that it do not pass.

WATSON, Chairman.

(Minority Report.)

Committee Room,

Austin, Texas, Feb. 15, 1911.

Hon. A. B. Davidson, President of the Senate.

Sir: We, a minority of your Committee on Judiciary No. 2, to whom was referred

Senate bill No. 58, A bill to be entitled "An Act to amend Article 199, Chapter 2, Title 7, of the Penal Code of the State of Texas, and to insert in said Chapter 2, immediately following said Article 199, an article to be designated and known as Article 199a, providing that upon each

conviction after the first for a violation of any of the provisions of said Article 199 as amended by that Act, the punishment shall be double that prescribed."

Have had the same under consideration, and we report same back to the Senate with the recommendation that it do pass.

TOWNSEND,
COFER,
JOHNSON.

Committee Room,

Austin, Texas, Feb. 15, 1911.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on State Penitentiaries, to whom was referred

Senate bill No. 249, A bill to be entitled "An Act conferring upon the Board of Prison Commissioners authority to issue paroles to meritorious convicts and to make and establish rules and regulations to carry the same into effect, and declaring an emergency."

Have had the same under consideration, and I am instructed to report same back to the Senate with the recommendation that it do pass.

WEINERT, Chairman

Committee Room,

Austin, Texas, Feb. 15, 1911.

Hon. A. B. Davidson, President of the Senate.

Sir: We, your Committee on State Penitentiaries, to whom was referred

Senate bill No. 239, A bill to be entitled "An Act to amend Chapter 10 of the Acts of the Fourth Called Session of the Thirty-first Legislature, being 'An Act to establish a prison system and declaring the policy of the State with reference thereto; to provide for the management and control of such prison system; to provide for the control, management and treatment of all prisoners sentenced to the penitentiary; to provide that prisoners and ex-prisoners as herein defined shall be permitted to testify in certain cases; to abolish the leasing and hiring of State prisoners; to provide rules and regulations for the government and conduct of such prison system; to provide for a Board of Prison Commissioners; to provide for their appointment and defining their powers, duties and authority; to provide for the purchase or sale of real estate by the Prison Commis-

sion; to vest title of all real estate owned by the prison system; to provide for the appointment of an auditor and prescribing his duties; prescribing penalties for the violation of this Act; repealing Chapters 1, 2, 3, 4, 5, 6, 7 and 8 of Title 79 of the Revised Statutes of 1895, and all laws and parts of laws in conflict with this Act,' by adding thereto sections numbered 64, 65, 66, 67, 68, 69, 70, 71, 72, 73 and 74, and by amending sections numbered 8, 12, 13, 14, 15, 16, 22, 23, 33, 38, 40, 42, 45, 60, 62 and 63; declaring the wealth earned by the prison system, over and above the cost of operation and maintenance, to be the rightful property of the wives and children of said prisoners, if there be such wives and children, with certain exception, or, under certain circumstances, of the prisoners themselves; providing for the classification of all prisoners in units of labor value; defining the word "children for the purposes of this Act; providing for the appointment "children" for the purposes of this prisoners where no guardian has been appointed; declaring that the State prisoners are wealth earning units held in trust by the State for the benefit of himself or herself, as the case may be, or of his or her dependents; providing for the apportionment of the net proceeds of the prison system among the prisoners according to the value of the service performed and for the disposition of said apportionment; providing for a prisoners' labor fund and for the disposition of said fund; providing for a good conduct fund to be appropriated out of the general revenue of the State and for the disposition of said fund, and making an appropriation therefor; so that Chapter 10 of Acts of the Fourth Called Session of the Thirty-first Legislature shall hereafter read as follows, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass.

WEINERT, Chairman.

(Floor Report.)

Austin, Texas, Feb. 14, 1911.

Hon. A. B. Davidson, President of the Senate.

Sir: We, your Committee on Roads, Bridges and Ferries, to whom was referred

House bill No. 269, A bill to be entitled "An Act to create a more efficient road law for Cherokee county, Texas, making the members of the Commissioners' Court road commissioners for their respective precincts; defining their powers and duties and fixing their compensation as such road commissioners, and requiring that they give bond; providing for the adoption of a road system for working and repairing the public roads and bridges, and authorizing the employment of a civil engineer or other competent person in each commissioners' precinct in laying out and constructing public roads and bridges; providing that work on public roads and bridges may be let out by contract, authorizing the employment of county convicts on the public roads, and providing rules and regulations therefor; defining the powers and duties of road overseers and providing for their compensations, and for the use of tools, teams, etc.; defining the duties of road hands, fixing the time they shall work; and providing for the payment of money in lieu of road work; providing for additional compensation for county judge and county commissioners; providing that no part of the road and bridge fund or of any special tax levied for road and bridge purposes shall be used for any other purpose; making this Act cumulative of the general road laws, repealing Chapter 111 of the Special Laws of the Twentieth Legislature, approved February 16, 1905, and Chapter 13 of the Special Laws of the Thirty-first Legislature, approved February 26, 1909, and declaring an emergency."

Have had the same under consideration, and recommend that it do pass, and be not printed.

Greer, Chairman; Ratliff, Johnson, Paulus, Weinert, Perkins.

(Floor Report.)

Austin, Texas, Feb. 14, 1911.

Hon. A. B. Davidson, President of the Senate.

Sir: We, your Committee on Roads, Bridges and Ferries, to whom was referred

Senate bill No. 242, A bill to be entitled "An Act to render more effective and efficient the present road law of the State of Texas, in its application and operation in the county of Jefferson; and to authorize and empower the Commissioners'

Court of said county to issue bonds for the construction and maintenance of public roads and highways within said county, and to provide the manner and mode of working the county convicts of said county upon its public roads and highways, and fixing and regulating the compensation of certain of its officers."

Beg leave to report that we have had said bill under consideration, and recommend that same do pass, and be not printed.

Greer, Chairman; Ratliff, Weinert, Paulus, Perkins, Johnson.

(Floor Report.)

Austin, Texas, Feb. 14, 1911.

Hon. A. B. Davidson, President of the Senate.

Sir: We, your Committee on Roads, Bridges and Ferries, to whom was referred

Senate bill No. 241, A bill to be entitled "An Act to empower the Commissioners' Court of Fisher county to adopt a system of roads; and providing that the members of the Commissioners' Court of Fisher county shall be ex officio road superintendents of their respective districts, and providing for bonds for said ex officio road superintendents, and providing for the appointment of deputy road superintendents; and fixing bonds for said deputy road superintendents; and providing that the county treasurer shall keep a separate account of funds created under this Act; and providing for employment of convicts on public roads, and regulating officers and witnesses' costs of such cases when fines may be worked out on the public roads; and providing for hands to be worked upon the roads; and providing for a method of accounting for road superintendents; and providing for a compensation for road superintendents and deputy road superintendents; and providing for payment of labor on roads; and also providing for the levy of a special road tax under Article 4786 of the Revised Statutes by a majority vote, and providing for the expenditure of special road tax; and providing for the collection of insolvent poll taxes by requiring work on the roads; and providing that this Act shall be cumulative of the general laws; and providing for an emergency."

Beg leave to report that we have had this bill under consideration,

and recommend that same do pass, and be not printed.

Greer, Chairman; Ratliff, Weinert, Paulus, Perkins, Johnson.

(Floor Report.)

Austin, Texas, Feb. 14, 1911.

Hon. A. B. Davidson, President of the Senate.

Sir: We, your Committee on Roads, Bridges and Ferries, to whom was referred

Senate bill No. 236, A bill to be entitled "An Act to create a more efficient road system for Wood county, Texas, and making the county commissioners of said county ex officio road commissioners; prescribing their compensation as such road commissioners, and providing for working county convicts upon public roads of said county, and for the payment of the fees of officers and witnesses in such cases, and providing for the amount of time to be allowed road hands for their teams, and providing for the payment of \$3.50 in lieu of road service; abolishing the road overseer system in Wood county; making road hands subject to the control of the road commissioners and road superintendents of Wood county, and making road hands subject to road service anywhere in the commissioners precinct in which they reside, but not exceeding five miles from their place of residence; and providing further, making this law cumulative of the general laws, and in case of a conflict this Act to govern as to Wood county; repealing Chapter 11 of the Special Laws of the Second Called Session of the Thirty-first Legislature of Texas; and declaring an emergency."

Beg leave to report that we have had this bill under consideration, and recommend that same do pass, and be not printed.

Greer, Chairman; Ratliff, Weinert, Paulus, Perkins, Johnson.

Committee Room,

Austin, Texas, Feb. 15, 1911.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Insurance, Statistics and History, to whom was referred

Senate bill No. 248, A bill to be entitled "An Act to authorize the incorporation of casualty insurance companies and other kinds of insur-

ance, except life, fire and marine insurance companies, and to regulate their organization and their method of doing business in this State, prescribing the powers and duties of the Commissioner of Insurance and Banking with reference to such companies; providing penalties for the violation of this Act, and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

ASTIN, Chairman.

Committee Room,

Austin, Texas, Feb. 14, 1911.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Enrolled Bills have carefully examined and compared

Senate bill No. 77, "An Act granting the City of New Braunfels, in addition to the powers now conferred by the general laws now in force, or which may hereafter be enacted, the right, power, privilege and authority to erect, build, construct, maintain and operate within as well as without its city limits water works system, an electric light system, a power system, and any other public utilities, together with the necessary plant or plants and incidental buildings, machinery, mains, pipes, pumps, turbines, wires, poles, appliances and constructions; and the right, power, privilege and authority to dispose of or to sell within its city limits and one mile beyond said limits water, electricity and power for any and all purposes; granting to the City of New Braunfels the right, power, privilege and authority to erect, build, construct, maintain and operate any number of dams, reservoirs, lakes, locks, abutments, buildings, machinery, mains, pipes, pumps, turbines, wires, poles, appliances and construction in, at, on over or across the Guadalupe river at any point or points between the point where the Comal and the Guadalupe county line crosses the Guadalupe river, and up said river to a point 12 miles from said county line; granting to the City of New Braunfels the privilege and right of using all the land and water and riparian rights and all the rights of every character of the State of Texas in, to and adjacent to said Guadalupe river, between the point

above mentioned, including especially such rights in its bed, channel, banks, water falls, powers and current, granting to and conferring upon the city of New Braunfels the right, power, privilege and authority in any manner to dam and overflow the water of said Guadalupe river and its tributaries between the points above mentioned and in any manner to deepen, lower, drain and excavate the channel, bed and banks of said Guadalupe river between the points above mentioned, and to back the Guadalupe river between the points above mentioned and to back the water in said Guadalupe river and its tributaries between the points above mentioned to any height, but not in the Comal river above the north line of San Antonio street; granting to and conferring upon the City of New Braunfels in addition to the powers of condemnation and of eminent domain by the general laws now in force or which may hereafter be enacted the right, power, privilege and authority to purchase, acquire, hold, own, occupy, possess and condemn all lands, waters, springs, rivers, dams, constructions, rights, franchises, material and any other property which may be needed or used by the City of New Braunfels in erecting, building, constructing, maintaining and operating a water works system, an electric light system, a power system and other public utilities, together with the necessary dam or dams, plant or plants and incidental buildings, machinery, mains, pipes, pumps, turbines, poles, appliances and constructions; providing that the laws which are now in force or may hereafter be enacted, prescribing the rights of and procedure by railroad corporations and companies, in condemning and acquiring real estate, property and material, and making compensation therefor; shall apply to and govern the City of New Braunfels in condemnation proceedings in acquiring lands, waters, springs, dams, constructions, rights, franchises, material and any other property, and making compensation therefor under the power herein granted said city, and declaring an emergency."

And find it correctly enrolled, and have this day, at 11 o'clock a. m., presented same to the Governor for his approval.

RATLIFF, Chairman.

Committee Room,

Austin, Texas, Feb. 15, 1911.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully examined and compared:

Senate bill No. 23, A bill to be entitled "An Act to provide for the location and establishment at the East Texas Penitentiary at Rusk, Cherokee county, Texas, by the Board of Prison Commissioners of the State Penitentiary, of a factory for the manufacture of cotton bagging, cotton sacks, cotton duck, cotton rope, cotton twine, and other cotton goods, for the employment of managing experts and of certain convicts in the operation of said factory, to make an appropriation therefor, and the repealing of all laws or parts of laws in conflict with this Act, and declaring an emergency."

And find the same correctly engrossed.

COFER, Chairman.

Committee Room,

Austin, Texas, Feb. 15, 1911.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully examined and compared:

Senate bill No. 255, A bill to be entitled "An Act to amend the charter of the city of Gainesville, approved March 17th, 1909, by creating a board of water commissioners, to be appointed by the city council, and prescribing the powers and duties of such board, and declaring an emergency."

And find the same correctly engrossed.

COFER, Chairman.

Committee Room,

Austin, Texas, Feb. 15, 1911.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully examined and compared:

Senate bill No. 56, A bill to be entitled "An Act to prohibit the operation of electric street cars and electric interurban cars unless such cars are provided with screens or vestibules which will protect the motor-men, gripmen or other operators of such cars from inclement weather, from the first day of November until the fifteenth day of March of each year; to provide penalties for violation of this Act; and fees and commis-

sions for attorneys bringing suits; and to fix venue for such suits."

And fine the same correctly engrossed.

COFER, Chairman.

PETITIONS AND MEMORIALS.

By Senators Adams, Greer, Johnson, Ratliff, Peeler and Ward:

Petitions numerous signed by citizens of their districts protesting against the passage of House bill No. 319, which seeks to regulate the itinerant vending of medicine.

By Senator Perkins:

Petition numerous signed by citizens of his district requesting the Legislature to sanction the proposed sale of the Denison and Sherman Railway Company to the Texas Traction Company.

By Senator Perkins:

Petition numerous signed by citizens of his district asking support of legislation prohibiting the emptying of sewage into creeks, rivers and streams of Texas.

By President of the Senate:

Telegram from the Retail Dealers Hardware and Implement Association of Houston urging passage of House bill No. 75 repealing the pistol law. Also protesting against passage of House bill No. 285.

By Senator McNealus:

Communication transmitting the following resolution adopted by the Democratic County Convention of Rockwall county, July, 1910:

"Be it resolved, that it is the sense of this convention that we be not placed in the same Senatorial or Floatorial District with Dallas county and that our State Senator and Floater be instructed to use their vote and influence in the next Legislature to see that we are not so placed with Dallas county; that a copy of this resolution be sent to the proper committee in Legislature and also be furnished our members from Dallas county."

By Senator Adams:

Petition numerous signed asking support of the following Farmers' Union measures:

House bill No. 99 and Senate bill No. 23; House bill No. 32, and Senate bill No. 46; House bill No. 124, and Senate bill No. 82; also bill providing

for teaching cotton classing in the public schools.

By Senator Weinert:

Petition numerous signed by citizens of his district, asking a law providing more adequate protection of cotton growers and ginner in the sale and marketing of cotton.

By Senator Townsend:

Petition from the Cherokee Farmers' Union asking better protection of birds and urging against the passage of laws extending the open season for bird slaughter.

By Senator Peeler:

Communication signed by officers of the Taylor Farmers Institute transmitting copy of resolution adopted asking the Legislature to enact a pure seed law.

By Senator Paulus:

Petition numerous signed by citizens of Shiner asking support of an effort to empower the Railroad Commission to grant reduced rates to volunteer firemen while attending their conventions.

By Senator Johnson:

Petition numerous signed by citizens of Childress protesting against enactment of Senate bill No. 75, relating to the practice of optometry.

TWENTY-FOURTH DAY.

Senate Chamber,

Austin, Texas,

Thursday, Feb. 16, 1911.

The Senate met pursuant to adjournment, and was called to order by Lieutenant Governor Davidson.

Roll called, quorum being present, the following Senators answering to their names:

Adams.	McNealus.
Astin.	Meachum.
Bryan.	Murray.
Carter.	Paulus.
Cofer.	Peeler.
Collins.	Perkins.
Greer.	Ratliff.
Hudspeth.	Real.
Hume.	Terrell, McLennan.
Johnson.	Terrell, Wise.
Kauffman.	Townsend.
Lattimore.	Vaughan.
Mayfield.	Ward.